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October 31, 2002

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OCT 31 2002

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
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**Re: Inquiry Concerning High-speed Access to the Internet Over Cable and Other Facilities, GN Docket No. 00-185; Appropriate Regulatory Treatment for Broadband Access to the Internet Over Cable Facilities, CS Docket No. 02-52; Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, CC Docket No. 02-33; Computer III Further Remand Proceedings, CC Docket Nos. 95-20 & 98-10**  
**Notice of Ex Parte Presentation**

Dear Ms. Salas:

Submitted herewith pursuant to Section 1.1206(b)(2) of the Commission's rules are an original and one copy of a notice regarding permitted oral ex parte presentations in the above-captioned proceedings. On October 30, 2002, Marc Berejka of Microsoft Corp., Mitch Rose of The Walt Disney Company, Scott Blake Harris of Harris Wiltshire & Grannis, and the undersigned met with Susan Eid and Chris Libertelli, Legal Advisors to Chairman Powell, regarding the need for consumers to be able to connect to and use the Internet without interference from network operators.

The parties emphasized that broadband deployment will accomplish little if consumers are deprived of the ability they now enjoy lawfully to roam over the Internet; to run the applications they want using the equipment they choose; to gather, create, and share information; and to connect to websites absent interference by network operators. The history of the Internet has been characterized by consumer ability to use an unprecedented array of content, services, and applications via an ever-increasing repertoire of products. The parties expressed concern that this principle may not be carried forward to the broadband era. The parties also discussed other submissions in these proceedings that have addressed how the long-term principle of

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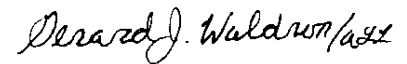
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network neutrality could be undermined if the Commission does not act to protect the ability of consumers to reach the Internet content of their choice.

We also distributed the testimony of Craig Mundie, Microsoft's Senior Vice President and Chief Technical Officer of Advanced Strategies and Policy from the Senate Commerce Committee's hearing "The Government's Role in Promoting the Future of the Telecommunications Industry and Broadband Deployment," which addresses these issues in more detail and already has been submitted in these dockets.

Kindly address any questions to the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Gerard J. Waldron" followed by a stylized flourish.

Gerard J. Waldron  
*Counsel to Microsoft*

cc: Ms. Susan Eid  
Mr. Chris Libertelli